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S/N 10/765708

JUL 17 2008

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KLINKERT, et al.	Examiner:	L. Edwards
Serial No.:	10/765708	Group Art Unit:	3748
Filed:	January 27, 2004	Docket No.:	20067.0021US01
Title:	EXHAUST ASSEMBLY		

CERTIFICATE UNDER 37 CFR 1.6(d);

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on April 11, 2008.

By: 

Name: Peggy Kerkhove

COMMUNICATION REGARDING RCE FILING

Mail Stop AF
Assistant Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to today's telephone call from a USPTO representative to Applicants' representative. Applicants respectfully submit that the above-referenced application should not be abandoned based on the following reasons and that any holding of abandonment is in error.

Based on the undersigned's information and knowledge, a complete response to the Advisory Action mailed April 8, 2008 was timely filed on April 11, 2008. Courtesy copies of the documents as filed on April 11, 2008 are submitted herewith. The response was filed under 37 CFR § 1.6(d) and clearly shows a date of deposit of April 11, 2008. This date is prior to the expiration of the six-month period for response. A copy of the U.S. Patent Office's Auto-Reply Facsimile Transmission is also enclosed. The Auto-Reply Facsimile Transmission shows that the response was received by the USPTO on April 11, 2008.

Therefore, in accordance with 37 CFR § 1.6(d), Applicant has:

(1) Informed the Office promptly of the previous mailing of correspondence after becoming aware of the Office having no evidence of receipt of the correspondence;

(2) Supplied a copy of the previously mailed correspondence (having a 1.6 certificate thereon) and a copy of the Auto-Reply Facsimile Transmission evidencing the Patent and Trademark Office's receipt of the previous correspondence; and

(3) Provided a statement by the undersigned on a personal knowledge basis to the previous timely filing.

In view of this evidence, Applicants request that any holding of abandonment in this case be withdrawn, that the response be entered, and that prosecution be reopened.

In the alternative, please consider this a Petition Under 37 CFR 1.137 (b).

It is assumed that no petition fee is required in this case. However, if such fee is deemed to be required, it should be charged to the undersigned's Deposit Account No. 50-3478.

Respectfully submitted,

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Dated: July 17, 2008

By:


Bryan A. Wong
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BAW/pjk

